

## *Joint Select Committee on Regionalization and Community Cooperation*

**LD 1210**

**Resolve, To Establish the Intergovernmental Advisory Commission**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOWEN DAMON	ONTP	

LD 1210 proposed to establish the Intergovernmental Advisory Commission to study ways to reduce duplication among all 3 levels of government in the State as well as within each level of government; promote communications, cooperation and efficient delivery of services; and develop a mechanism to establish a permanent statewide intergovernmental advisory commission.

**LD 1921**

**An Act To Encourage Voluntary Efficiency in Maine's School Systems and Related Costs Savings**

**DIED IN  
CONCURRENCE**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN DAMON	OTP-AM MAJ ONTP MIN	

LD 1921 proposed to increase efficiencies, improve equity in delivering educational services and alleviate increasing costs while maintaining the quality of public education from kindergarten to grade 12. This bill proposed to encourage regional delivery of educational services and school administration through voluntary formation of regional school districts and regional cooperatives and the provision of assistance by efficient school units to school administrative units seeking to reduce their education costs. Under the proposed bill, the State would provide monetary incentives for school units choosing to participate in these efforts.

None of the following amendments were adopted:

**Committee Amendment "A" (H-888)** was the majority report of the committee and proposed to replace the bill. It proposed to amend the certification criteria and performance review criteria for regional school districts, regional cooperatives and consulting school units. It also proposed to amend the financial incentives available to regional school districts, regional cooperatives and consulting school units. The amendment proposed to direct the Commissioner of Education to report to the Legislature on the efficacy of the financial incentives available under the law and to recommend statutory changes that may be needed to encourage efficiencies in delivering education services. Finally, it proposed to direct the State Board of Education to develop rules to permit applications for major school construction projects made jointly by 2 or more school administrative units. This amendment also proposed to add an appropriations and allocations section.

**House Amendment "A" to Committee Amendment "A" (H-905)** proposed to clarify that the final certification and approval process include bargaining units of employees of the school administrative units and that wages, hours and other conditions of employment are considered when making an agreement.

**House Amendment "B" to Committee Amendment "A" (H-939)** proposed to require that, prior to approval as a regional cooperative, the school administrative units to be combined to form the regional cooperative have each approved an agreement that addresses continuity of employment and employment benefits and rights of all

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bargaining units within the proposed regional cooperative. This requirement was proposed to be imposed under Committee Amendment "A" for regional school districts.

**House Amendment "C" to Committee Amendment "A" (H-954)** proposed to make the following changes to the bill as amended by Committee Amendment "A."

1. Add a phrase that was unintentionally omitted from Committee Amendment "A."
2. Alter the amount to be transferred to the Fund for the Efficient Delivery of Education Services in fiscal year 2004-05 from 1/2 of 1% of the amount appropriated for general purpose aid for local schools to \$1,000,000.
3. Alter the amount to be transferred to the Fund for the Efficient Delivery of Education Services in fiscal year 2006-07 from 2% of the amount appropriated for general purpose aid for local schools to 1 1/2%.

**House Amendment "D" to Committee Amendment "A" (H-960)** proposed to create the Educational Efficiency Advisory Group to foster communication and cooperation between schools, school administrative units and other units of local and regional government and to promote efficient and cost-effective delivery of educational services for children in Maine.

**Senate Amendment "A" to Committee Amendment "A" (S-547)** proposed to require that, prior to approval as a regional cooperative, the school administrative units to be combined to form the regional cooperative have each approved an agreement that addresses continuity of employment and employment benefits and rights of all bargaining units within the proposed regional cooperative. This requirement was proposed to be imposed under Committee Amendment "A" for regional school districts.

**Senate Amendment "B" to Committee Amendment "A" (S-548)** proposed to make the following changes to the bill as amended by Committee Amendment "A."

1. Add a phrase that was unintentionally omitted from Committee Amendment "A."
2. Alter the amount to be transferred to the Fund for the Efficient Delivery of Education Services in fiscal year 2004-05 from 1/2 of 1% of the amount appropriated for general purpose aid for local schools to \$1,000,000.
3. Alter the amount to be transferred to the Fund for the Efficient Delivery of Education Services in fiscal year 2006-07 from 2% of the amount appropriated for general purpose aid for local schools to 1 1/2%.

**Senate Amendment "C" to Committee Amendment "A" (S-558)** proposed to make the following changes to the bill, as amended by Committee Amendment "A."

1. Remove provisions regarding "consulting school units."
2. Remove provisions regarding incentives and accountability components for regional school districts.
3. Retain provisions regarding incentives and accountability components for regional cooperatives. It proposed to limit the amount of funds that can be dedicated to regional cooperatives to 1/3 of the amount transferred to the Fund for the Efficient Delivery of Education Services in each year.
4. Reduce transfers to the Fund for the Efficient Delivery of Education Services in fiscal year 2004-05 from .5% of general purpose aid for local schools to \$1,000,000.

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5. Reduce transfers to the Fund for the Efficient Delivery of Education Services in fiscal year 2005-06 from 1.0% of general purpose aid for local schools to \$2,000,000.
6. Eliminate the transfers to the Fund for the Efficient Delivery of Education Services specified for fiscal years 2006-07, 2007-08, 2008-09 and 2009-10.
7. Change the date by which the Commissioner of Education must report to the Legislature from January 2007 to January 2005.

**LD 1930**

### **An Act To Promote Intergovernmental Cooperation, Cost Savings and Efficiencies**

**PUBLIC 696**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM    MAJ	S-510
	ONTP      MIN	S-517   DAMON
		S-575   CATHCART

LD 1930 was a concept draft pursuant to Joint Rule 208. It proposed to do the following:

1. Require that each of the state, county and municipal governments pay for those services that it requires be provided. This would not include Federal Government mandates and mandates related to education.
2. Establish the Intergovernmental Advisory Group to study ways to reduce duplication and improve efficiency among all 3 levels of government in the State as well as within each level of government; promote communication, cooperation and efficient delivery of services; provide state resources for guidance, technical support and incentives to regionalize; and work with local and regional entities to design and implement pilot projects that result in cost savings and improved services through regionalization or other efficiency efforts.

The advisory group was proposed to have the following representation:

- A. Five members from State Government, 3 of whom must be commissioners and 2 of whom must be Legislators not of the same political party;
  - B. Five members who must be officials representing regional governments, 3 of whom must be county officials and 2 of whom must represent regional planning agencies, councils of government or other regional bodies; and
  - C. Five members who must be officers representing municipal governments, 3 of whom must be municipal officials and 2 of whom must represent school districts or other special-purpose districts that represent 2 or more municipalities.
3. Encourage the adoption of a county charter by streamlining the procedure for initiating a charter commission and removing all statutory limits on charter powers. The proposed changes to accomplish this included the following:

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- A. Change the language in the Maine Revised Statutes, Title 30-A, chapter 11, subchapter 3 to remove limits on charter powers and to provide that a county that adopts a charter may have home rule. This provision would not change the constitutional requirements regarding the election of county sheriffs and judges and registers of probate. It also would not exempt counties from state mandates; and
  - B. Remove the requirement that county residents vote to initiate a charter commission and allow a charter commission to be initiated either by the county commissioners or a citizens' petition. Citizens would still be required to vote on the final adoption of the charter.
- 4. Increase the real estate transfer tax from \$2.20 per \$1,000 of property value per party to \$3.00 per \$1,000 of property value per party. All additional funds raised through the real estate transfer tax as a result of this increase would be deposited into a dedicated fund to provide grants to promote regional efforts. This fund would be administered by the Intergovernmental Advisory Group, as proposed to be established in this bill. Groups of municipalities, councils of government and regional planning commissions may apply for grants. A county may also apply for a grant if it adopts a charter and if it submits a plan for regional cooperation.
  - 5. Create tax districts for multiple towns to join together for the purpose of assessing and collecting taxes as a single entity. Under the proposed bill, a county might also serve as a tax district for this purpose. Residents of the towns or the county would vote to decide on whether to create a taxing district. The Intergovernmental Advisory Group would provide grants to assist in the development of a proposed taxing district.
  - 6. Transfer a portion of the Highway Fund that funds State Police patrol to towns that do not have local police. Under the proposed bill, those towns would then contract with the county for sheriff patrol services. The portion of the Highway Fund to be transferred for this purpose would be based on the following funding formula for each county sheriff's patrol budget: Fifty percent of the budget would be required to be collected from the residents that receive the benefit and 50% would be collected through the Highway Fund.
  - 7. Encourage counties to work together on regional projects, such as communications centers and regional jails, by amending or clarifying statute to give all political subdivisions of the State broad authority to work together.
  - 8. Tie the award of transportation funds to municipalities to the development of coherent regional land use policies.
  - 9. Remove statutory references to:
    - A. Salaries of county officials;
    - B. Directives on how often county boards and commissions hold hearings; and
    - C. Involvement of the legislative delegation in the county budget process.
  - 10. Initiate 4 pilot projects to:
    - A. Create municipal unions to allow multiple towns to consolidate their administrative functions into a single unit while allowing each town to retain its identity and form of governance. This option would be voluntary;
    - B. Work with state agencies to permit towns to file joint reports and audits when they are working together administratively;

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- C. Promote the use of councils of governments and promote the involvement of councils of governments and regional planning commissions with counties; and
- D. Assist the "Beginning with Habitat" program to make more effective use of wildlife information across town boundaries through a regional habitat planning pilot project.

**Committee Amendment "A" (S-510)** proposed to create the Intergovernmental Advisory Group to improve efficiencies and communication within all 3 branches of government and to provide state assistance to encourage regionalization and cost-effective service delivery. The amendment proposed to remove the requirement for county residents to vote to create a charter commission. It proposed to remove references to county commissioner meeting requirements, salaries for county officials and legislative delegation involvement in the county budget estimate process. This bill also proposed to allow county charters to include provisions for the county budget committee process. Finally, it proposed to clarify that interlocal cooperative agreements may be established among public agencies.

**House Amendment "A" to Committee Amendment "A" (H-925)** proposed to remove the provision of Committee Amendment "A" that allows a charter commission to be initiated by the county commissioners or by petition by voters. (not adopted)

**Senate Amendment "A" to Committee Amendment "A" (S-517)** proposed to clarify that the Governor's appointments for the Intergovernmental Advisory Group must include 3 members from each of 3 regions and ensure a geographic diversity of membership from each region.

**Senate Amendment "B" to Committee Amendment "A" (S-575)** proposed to clarify the staffing responsibility for the Intergovernmental Advisory Group by assigning that function to the Executive Department, State Planning Office and limit the number of meetings of the advisory group to 4 per year.

**Senate Amendment "C" to Committee Amendment "A" (S-582)** proposed to remove the provisions of Committee Amendment "A" that would allow a charter commission to be initiated by the county commissioners or by petition by voters. Under this proposed amendment, the question of whether to establish a county charter commission would still be submitted to the voters. (not adopted)

### ***Enacted Law Summary***

Public Law 2003, chapter 696 creates the Intergovernmental Advisory Group to improve efficiencies and communication within all 3 branches of government and to provide state assistance to encourage regionalization and cost-effective service delivery. The law removes the requirement for county residents to vote to create a charter commission. It also removes references to county commissioner meeting requirements, salaries for county officials and legislative delegation involvement in the county budget estimate process. It allows county charters to include provisions for the county budget committee process. It also clarifies that interlocal cooperative agreements may be established among public agencies.